

§ 391.71

motor carrier of passengers (business) as of July 1, 1994, so long as the driver continues to be a single-employer driver of that motor carrier.

[63 FR 33278, June 18, 1998]

§ 391.71 [Reserved]

PART 392—DRIVING OF COMMERCIAL MOTOR VEHICLES

Subpart A—General

Sec.

- 392.1 Scope of the rules in this part.
- 392.2 Applicable operating rules.
- 392.3 Ill or fatigued operator.
- 392.4 Drugs and other substances.
- 392.5 Alcohol prohibition.
- 392.6 Schedules to conform with speed limits.
- 392.7 Equipment, inspection and use.
- 392.8 Emergency equipment, inspection, and use.
- 392.9 Inspection of cargo, cargo securement devices and systems.
- 392.9a Operating authority.

Subpart B—Driving of Commercial Motor Vehicles

- 392.10 Railroad grade crossings; stopping required.
- 392.11 Railroad grade crossings; slowing down required.
- 392.12–392.13 [Reserved]
- 392.14 Hazardous conditions; extreme caution.
- 392.15 [Reserved]
- 392.16 Use of seat belts.
- 392.18 [Reserved]

Subpart C—Stopped Commercial Motor Vehicles

- 392.20–392.21 [Reserved]
- 392.22 Emergency signals; stopped commercial motor vehicles.
- 392.24 Emergency signals; flame-producing.
- 392.25 Flame producing devices.

Subpart D—Use of Lighted Lamps and Reflectors

- 392.30–392.32 [Reserved]
- 392.33 Obscured lamps or reflective devices/material.

Subpart E—License Revocation; Duties of Driver

- 392.40–392.41 [Reserved]

Subpart F—Fueling Precautions

- 392.50 Ignition of fuel; prevention.

49 CFR Ch. III (10–1–09 Edition)

- 392.51 Reserve fuel; materials of trade.
- 392.52 [Reserved]

Subpart G—Prohibited Practices

- 392.60 Unauthorized persons not to be transported.
- 392.61 [Reserved]
- 392.62 Safe operation, buses.
- 392.63 Towing or pushing loaded buses.
- 392.64 Riding within closed commercial motor vehicles without proper exits.
- 392.65 [Reserved]
- 392.66 Carbon monoxide; use of commercial motor vehicle when detected.
- 392.67 Heater, flame-producing; on commercial motor vehicle in motion.
- 392.68–392.69 [Reserved]
- 392.71 Radar detectors; use and/or possession.

AUTHORITY: 49 U.S.C. 13902, 31136, 31151, 31502; and 49 CFR 1.73.

SOURCE: 33 FR 19732, Dec. 25, 1968, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 392 appear at 66 FR 49874, Oct. 1, 2001.

Subpart A—General

§ 392.1 Scope of the rules in this part.

Every motor carrier, its officers, agents, representatives, and employees responsible for the management, maintenance, operation, or driving of commercial motor vehicles, or the hiring, supervising, training, assigning, or dispatching of drivers, shall be instructed in and comply with the rules in this part.

[53 FR 18057, May 19, 1988, as amended at 60 FR 38746, July 28, 1995]

§ 392.2 Applicable operating rules.

Every commercial motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. However, if a regulation of the Federal Motor Carrier Safety Administration imposes a higher standard of care than that law, ordinance or regulation, the Federal Motor Carrier Safety Administration regulation must be complied with.

[35 FR 7800, May 21, 1970, as amended at 60 FR 38746, July 28, 1995]

§ 392.3 Ill or fatigued operator.

No driver shall operate a commercial motor vehicle, and a motor carrier